UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,249	05/25/2001	Steve J. Mastrianni	YOR920010276US1	3967

35526 7590 04/21/2005		EXAMINER
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ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/865,249	MASTRIANNI ET AL.
	Examiner	Art Unit	
	Backhean Tiv	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>10 March 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-50</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-50</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>3/10/05</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____ .

Detailed Action

Claims 1-50 are pending in this application. Claims 1-13,17-31,35-47 were

amended. This is a response to the amendment filed on 1/7/05.

Information Disclosure Statement

The IDS filed on 3/10/05 has been considered.

NonStatutory provisional Double Patenting

The nonstatutory double patenting rejection is based on a judicially created

doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the

unjustified or improper timewise extension of the "right to exclude" granted by a patent

and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11

F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ

645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In*

re Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d

528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be

used to overcome an actual or provisional rejection based on a nonstatutory double

patenting ground provided the conflicting application or patent is shown to be commonly

owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a

terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with

37 CFR 3.73(b).

Claims 1, 8,9, 10,14,19,26,27,28,35,42,43,44,48 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of US Patent Application 09/866,251 in view of US Patent 6,714,952 issued to Dunham et al.(Dunham). This is a *provisional* double patenting rejection since the conflicting claims have not in fact been patented. Although the conflicting claims are not identical, they are not patentably distinct from each other because of the following reasons:

Claim 1 of US Patent Application 09/866,251 teaches all the limitations of claims 8,9,10,14,19,26,27,28,35,42,43,44,48 except for:

initiating copying of the files from the source data processing system to the destination data processing system using the result.

However, Dunham teaches initiating copying of the files from the source data processing system to the destination data processing system using the result(col.2, lines 48-54, col.8, lines 1-6).

Therefore it would have been obvious to one ordinary skill in the art to modify the method of US Patent Application 09/866,251 to add initiating copying of the files from the source data processing system to the destination data processing system using the result as taught by Dunham in order to back-up files(Dunham, col.1, lines 12-13).

One skilled in the art would have been motivated to combine US Patent Number 09/866,251 and Dunham in order to provide a method to utilize file system attributes in a multi-lingual file system environment(Dunham, col.1, lines 10-13).

Claims 17,18 are rejected under the judicially created doctrine of obviousness-

type double patenting as being unpatentable over claim 17 of US Patent Application

09/866,251 in view of US Patent 6,714,952 issued to Dunham et al.(Dunham). This is a

provisional double patenting rejection since the conflicting claims have not in fact been

patented. Although the conflicting claims are not identical, they are not patentably

distinct from each other because of the following reasons:

Claim 17 of US Patent Application 09/866,251 teaches all the limitations of

claims 1 except for:

initiate copying of the files from the source data processing system to the destination

data processing system using the result.

However, Dunham teaches initiate copying of the files from the source data

processing system to the destination data processing system using the result (col.2,

lines 48-54, col.8, lines 1-6).

Therefore it would have been obvious to one ordinary skill in the art to modify the

method of US Patent Application 09/866,251 to add initiate copying of the files from the

source data processing system to the destination data processing system using the

result as taught by Dunham in order to back-up files(Dunham, col.1, lines 12-13).

One skilled in the art would have been motivated to combine US Patent Number

09/866,251 and Dunham in order to provide a method to utilize file system attributes in

a multi-lingual file system environment(Dunham, col.1, lines 10-13).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 14-16,32-34,48-50 are rejected under 35 U.S.C. 102(e) as being

anticipated by US Patent 6,714,952 issued to Dunham et al.(Dunham).

As per claim 14,32,48 Dunham teaches a method for migrating files, the method

comprising:

receiving an access request from a program to access a file, wherein the request

is received at an operating system level(Abstract);

storing an association between the file and the program in a data store(col.5,

lines 21-25,col.6, lines 50-56, col.7, lines 11-15, Fig.1-2);

querying the data store for files associated with the program(col.2, lines 39-43,

col.3, lines 1-17, col.5, lines 63-67);

receiving a result in response to querying the data store(col.7, lines 39-49, lines 58-60); and

initiating copying of the files from a source data processing system on which the files are located to a destination data processing system using the result(col.2, lines 48-51, col.8, lines 1-3).

As per claim 15, 33,49 wherein the association includes a file name for the file and a program name for the program(col.4, lines 20-34; it is inherent to have a file name for a file and a program name for a program in order to know which file or program to back-up).

As per claim 16, 34,50 wherein the association further includes at least one of a location of the file, a time of file access, a date of file access, an extension for the file, and an identification of a user of the program(col.2,lines 21-22).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6,8-13,17-24,26-31,35-40,42-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,714,952 issued to Dunham et al.(Dunham) in view of US Publication No. 2002/0120634 issued to Min et al.(Min).

As per claim 1, Dunham teaches a method in a data processing system for migrating an application from a source data processing system to a destination data processing system(col.2, lines 55-64), the method comprising:

querying a data store containing meta data regarding files associated with the application(col.2, lines 39-43, col.3, lines 7-17, col.5, lines 63-67);

receiving a result in response to querying the data store(col.7, lines 39-49, lines 58-60);

and initiating copying of the files from the source data processing system to the destination data processing system using the result(col.2, lines 48-51, col.8, lines 1-3).

Dunham however does not explicitly teach wherein the meta data describing associations between the files and applications that have accessed files.

Min teaches wherein the meta data describing associations between the files and applications that have accessed files(Abstract).

Therefore it would have been obvious to one ordinary skilled in the art at the time of the invention to modify the teachings of Dunham to describe metadata as being an association between the files and applications that have accessed files as taught by Min in order to determine which applications have accessed certain files.

One of ordinary skilled in the art at the time of the invention would have been motivated to combine Dunham and Min to provide a system to back up and restore data on a network(Dunham, Abstract).

As per claim 2, the method of claim 1 further comprising: receiving a request to move files associated with the application from the source data processing system to

the destination data processing system, wherein querying of the data store occurs in response to receiving the request(Dunahm, col.2, lines 39-43).

As per claim 3, the method of claim 1, wherein the data store is one of a file or a database(Dunahm, col.2, line 50).

As per claim 4, the method of claim 1, wherein the result is a list of file names and file locations(Dunahm, col.4,lines 36-51).

As per claim 5, the method of claim 1, wherein the data store is located in the source data processing system(Dunahm, col.2, lines 55-64).

As per claim 6, the method of claim 1, wherein the source data processing system records, in the data store, all files accessed by the application while the application was on the source data processing system(Dunahm, col.5, lines 47-55).

As per claim 12, the method of claim 8, wherein the initiating step comprises: initiating copying of the files from a source data processing system to the data processing system using the result(Dunahm, Fig.1).

As per claim 17, a data processing system comprising: a bus system(Dunahm, col.1, line 16; it is implicit that's there is a bus system because all computers have a bus system in order for it to operate); a communications unit connected to the bus system(Dunahm, Fig.1; it is implicit that the bus system and the communication unit are connected to each other in order for the computer to communicate with other network devices); a memory connected to the bus system, wherein the memory includes as set of

instructions(Dunahm, col.8, lines 8-10; it is implicit that memory is connected to the bus

system and includes instructions because without the bus system and memory with

instructions the computer would not operate). All other limitations of claim 17 are

rejected based on the same rationale as claim 1(see above).

Claims 8,9,10,19,26,27,28,35,42,43,44, are rejected based on the same rationale

as claim 1 (see above).

Claims 20,36, are rejected based on the same rationale as claim 2(see above).

Claims 21,37 are rejected based on the same rationale as claim 3(see above).

Claims 13,22,31,38,47 are rejected based on the same rationale as claim 4 (see

above).

Claims 11,23,29,39,45 are rejected based on the same rationale as claim 5 (see

above).

Claims 24,40 are rejected based on the same rationale as claim 6(see above).

Claims 30,46 are rejected based on the same rationale as 12 (see above).

Claim 18 is rejected based on the same rationale as claim 17(see above).

Claims 7, 25,41 are rejected under 35 U.S.C. 103(a) as being unpatentable over

US Patent 6,714,952 issued to Dunham et al.(Dunham) in view of US Publication No.

2002/0120634 issued to Min et al.(Min) in further view of Office Notice.

Dunham in view of Min teaches all the limitations of claim 1,19,35.

However, Dunham in view of Min does not teaches as per claim 7, the method of claim 1, wherein the application is one of a word processor, a spreadsheet program, an email program, or a browser.

Office Notice is taken, it is obvious to one ordinary skill in the art to modify the method of Dunham to add wherein the application is one of a word processor, a spreadsheet program, an email program, or a browser in order back-up different types of data for later use.

Claims 25, 41 are rejected based on the same rationale as claim 7 (see above).

Claims 1-13,17-31,35-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,714,952 issued to Dunham et al.(Dunham) in view of Office Notice.

As per claim 1, Dunham teaches a method in a data processing system for migrating an application from a source data processing system to a destination data processing system(col.2, lines 55-64), the method comprising:

querying a data store containing meta data regarding files associated with the application(col.2, lines 39-43, col.3, lines 7-17, col.5, lines 63-67);

receiving a result in response to querying the data store(col.7, lines 39-49, lines 58-60);

and initiating copying of the files from the source data processing system to the destination data processing system using the result(col.2, lines 48-51, col.8, lines 1-3).

Dunham however does not explicitly teach wherein the meta data describing associations between the files and applications that have accessed files.

Office Notice is taken; It would have been obvious to one ordinary skilled in the art at the time of the invention to modify the teachings of Dunham to describe metadata as being an association between the files and applications that have accessed files because one of ordinary skill in the art knows that metdata by definition is data about data, the applicant has claimed a limitation that defines what kind of metadata is being used. One of ordinary skilled in the art at the time of the invention would have specifically describe metadata as an association between files and applications that have accessed files in order to provide system to know what programs have accessed certain files.

One of ordinary skilled in the art at the time of the invention would have been motivated to use metdata to describe an association between the files and applications that have accessed files to provide a system to back up and restore data on a network(Dunham, Abstract).

As per claim 2, the method of claim 1 further comprising: receiving a request to move files associated with the application from the source data processing system to the destination data processing system, wherein querying of the data store occurs in response to receiving the request(Dunahm, col.2, lines 39-43).

As per claim 3, the method of claim 1, wherein the data store is one of a file or a database(Dunahm, col.2, line 50).

As per claim 4, the method of claim 1, wherein the result is a list of file names and file locations(Dunahm, col.4,lines 36-51).

As per claim 5, the method of claim 1, wherein the data store is located in the source data processing system(Dunahm, col.2, lines 55-64).

As per claim 6, the method of claim 1, wherein the source data processing system records, in the data store, all files accessed by the application while the application was on the source data processing system(Dunahm, col.5, lines 47-55).

However, Dunham does not teaches as per claim 7, the method of claim 1, wherein the application is one of a word processor, a spreadsheet program, an email program, or a browser.

Office Notice is taken, it is obvious to one ordinary skill in the art to modify the method of Dunham to add wherein the application is one of a word processor, a spreadsheet program, an email program, or a browser in order back-up different types of data for later use.

As per claim 12, the method of claim 8, wherein the initiating step comprises: initiating copying of the files from a source data processing system to the data processing system using the result(Dunahm, Fig.1).

As per claim 17, a data processing system comprising:
a bus system(Dunahm, col.1, line 16; it is implicit that's there is a bus system because all computers have a bus system in order for it to operate);
a communications unit connected to the bus system(Dunahm, Fig.1; it is implicit that the bus system and the communication unit are connected to each other in order for the computer to communicate with other network devices);
a memory connected to the bus system, wherein the memory includes as set of

instructions(Dunahm, col.8, lines 8-10; it is implicit that memory is connected to the bus

system and includes instructions because without the bus system and memory with

instructions the computer would not operate). All other limitations of claim 17 are

rejected based on the same rationale as claim 1(see above).

Claims 8,9,10,19,26,27,28,35,42,43,44, are rejected based on the same rationale

as claim 1 (see above).

Claims 20,36, are rejected based on the same rationale as claim 2(see above).

Claims 21,37 are rejected based on the same rationale as claim 3(see above).

Claims 13,22,31,38,47 are rejected based on the same rationale as claim 4 (see

above).

Claims 11,23,29,39,45 are rejected based on the same rationale as claim 5 (see

above).

Claims 24,40 are rejected based on the same rationale as claim 6(see above).

Claims 30,46 are rejected based on the same rationale as 12 (see above).

Claim 18 is rejected based on the same rationale as claim 17(see above).

Claims 25, 41 are rejected based on the same rationale as claim 7 (see above).

Claims 1-6,8-13,17-24,26-31,35-40,42-47 are rejected under 35 U.S.C. 103(a) as

being unpatentable over US Patent 6,714,952 issued to Dunham et al.(Dunham) in view

of US Publication No. 2002/0111840 issued to Bagdonas et al.(Bagdonas).

As per claim 1, Dunham teaches a method in a data processing system for
migrating an application from a source data processing system to a destination data
processing system(col.2, lines 55-64), the method comprising:
querying a data store containing meta data regarding files associated with the
application(col.2, lines 39-43, col.3, lines 7-17, col.5, lines 63-67);
receiving a result in response to querying the data store(col.7, lines 39-49, lines 58-60);
and initiating copying of the files from the source data processing system to the
destination data processing system using the result(col.2, lines 48-51, col.8, lines 1-3).

Dunham however does not explicitly teach wherein the meta data describing
associations between the files and applications that have accessed files.

Bagdonas teaches wherein the meta data describing associations between the
files and applications that have accessed files(col.5, paragraph 48).

Therefore it would have been obvious to one ordinary skilled in the art at the time
of the invention to modify the teachings of Dunham to describe metadata as being an
association between the files and applications that have accessed files as taught by
Bagdonas in order to determine which applications have accessed certain files.

One of ordinary skilled in the art at the time of the invention would have been
motivated to combine Dunham and Bagdonas to provide a system to back up and
restore data on a network(Dunham, Abstract).

As per claim 2, the method of claim 1 further comprising: receiving a request to
move files associated with the application from the source data processing system to

the destination data processing system, wherein querying of the data store occurs in

response to receiving the request(Dunahm, col.2, lines 39-43).

As per claim 3, the method of claim 1, wherein the data store is one of a file or a

database(Dunahm, col.2, line 50).

As per claim 4, the method of claim 1, wherein the result is a list of file names

and file locations(Dunahm, col.4,lines 36-51).

As per claim 5, the method of claim 1, wherein the data store is located in the

source data processing system(Dunahm, col.2, lines 55-64).

As per claim 6, the method of claim 1, wherein the source data processing

system records, in the data store, all files accessed by the application while the

application was on the source data processing system(Dunahm, col.5, lines 47-55).

As per claim 12, the method of claim 8, wherein the initiating step comprises:

initiating copying of the files from a source data processing system to the data

processing system using the result(Dunahm, Fig.1).

As per claim 17, a data processing system comprising:

a bus system(Dunahm, col.1, line 16; it is implicit that's there is a bus system because

all computers have a bus system in order for it to operate);

a communications unit connected to the bus system(Dunahm, Fig.1; it is implicit that the

bus system and the communication unit are connected to each other in order for the

computer to communicate with other network devices);

a memory connected to the bus system, wherein the memory includes as set of

instructions(Dunahm, col.8, lines 8-10; it is implicit that memory is connected to the bus

system and includes instructions because without the bus system and memory with

instructions the computer would not operate). All other limitations of claim 17 are

rejected based on the same rationale as claim 1(see above).

Claims 8,9,10,19,26,27,28,35,42,43,44, are rejected based on the same rationale

as claim 1 (see above).

Claims 20,36, are rejected based on the same rationale as claim 2(see above).

Claims 21,37 are rejected based on the same rationale as claim 3(see above).

Claims 13,22,31,38,47 are rejected based on the same rationale as claim 4 (see

above).

Claims 11,23,29,39,45 are rejected based on the same rationale as claim 5 (see

above).

Claims 24,40 are rejected based on the same rationale as claim 6(see above).

Claims 30,46 are rejected based on the same rationale as 12 (see above).

Claim 18 is rejected based on the same rationale as claim 17(see above).

Claims 7, 25,41 are rejected under 35 U.S.C. 103(a) as being unpatentable over

US Patent 6,714,952 issued to Dunham et al.(Dunham) in view of US Publication No.

2002/0111840 issued to Bagdonas et al.(Bagdonas) in further view of Office Notice.

Dunham in view of Bagdonas teaches all the limitations of claim 1,19,35.

However, Dunham in view of Bagdonas does not teaches as per claim 7, the method of claim 1, wherein the application is one of a word processor, a spreadsheet program, an email program, or a browser.

Office Notice is taken, it is obvious to one ordinary skill in the art to modify the method of Dunham to add wherein the application is one of a word processor, a spreadsheet program, an email program, or a browser in order back-up different types of data for later use.

Claims 25, 41 are rejected based on the same rationale as claim 7 (see above).

Response to Arguments

Applicant's arguments, as per claim 14-16, 32-34, 48-50, filed 1/7/05 have been fully considered but they are not persuasive. Applicant's arguments with respect to claims 1-13,17-31,35-47 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument, as per claim 14-16, 32-34, 48-50, that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e.,metadata that describes associations between the files and applications that have accessed the files) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As per claim 1, 8,9, 10,14,19,26,27,28,35,42,43,44,48, the applicant alleges that a Terminal Disclaimer was filed in compliance with 37 CFR 1.321(c). However the examiner does not see this Terminal Disclaimer in the application files. Therefore, claims 1, 8,9, 10,14,19,26,27,28,35,42,43,44,48, still stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of US Patent Application 09/866,251 in view of US Patent 6,714,952 issued to Dunham et al.(Dunham).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Backhean Tiv whose telephone number is (571)272-3941. The examiner can normally be reached on 9 A.M.-12 P.M. and 1 -6 P.M. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Backhean Tiv
2151
4/7/05

ZARNI MAUNG
SUPERVISORY PATENT EXAMINER